

**WEDNESDAY, FEBRUARY 5, 1997**

**THIRD LEGISLATIVE DAY**

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rosemary Herron, Pentecostal Tabernacle, Nashville, Tennessee.

Representative Davidson led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman- Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Hargett; death in family

**SPONSOR ADDED**

**House Bill No. 221:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 222:** Rep(s). Brooks as prime sponsor(s).

**House Bill No. 223:** Rep(s). Brooks as prime sponsor(s).

**MESSAGE FROM THE SENATE**

**February 4, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 11; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 11** -- Memorials, Public Service - Charles W. Burson, Attorney General and Reporter. by \*Cohen, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsa, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**MESSAGE FROM THE SENATE**

**February 4, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17 and 18; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 3** -- Memorials, Public Service - Linda Sue Gilbert, recipient of "Book of Golden Deeds Award.". by \*Cooper.

**Senate Joint Resolution No. 4** -- Memorials, Public Service - Charles Grady Norton, Exchange Club's "Community Service Award" recipient. by \*Cooper.

**\*Senate Joint Resolution No. 5** -- Memorials, Death - John Howard "J.H." Warf, former commissioner of education and charter member of board of regents. by \*Springer, \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsa, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 6** -- Memorials, Death - Bill Monroe. by \*Henry, \*Graves, \*Haynes, \*Cohen, \*Rochelle.

**Senate Joint Resolution No. 7** -- Memorials, Death - Miss Mildred Stoves. by \*Henry.

**Senate Joint Resolution No. 8** -- Memorials, Recognition and Thanks - Frank M. Farris, Jr., Watkins Institute. by \*Henry, \*Rochelle.

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**Senate Joint Resolution No. 9** -- Memorials, Death - H. Sanders Anglea. by \*Henry, \*Haynes, \*Rochelle.

**Senate Joint Resolution No. 10** -- Memorials, Death - Attorney General David M. Pack. by \*Henry, \*Haynes, \*Herron, \*Atchley, \*Cohen, \*Koella, \*Springer, \*Rochelle.

**Senate Joint Resolution No. 15** -- Memorials, Public Service - Dr. Patrick J. Murphy. by \*Person.

**Senate Joint Resolution No. 16** -- Memorials, Public Service - Bob Corker, commissioner of finance and administration. by \*McNally, \*Haynes, \*Henry, \*Womack, \*Atchley, \*Gilbert, \*Harper, \*Cohen, \*Kyle, \*Herron, \*Williams, \*Springer, \*Haun, \*Rochelle.

**Senate Joint Resolution No. 17** -- Memorials, Sports - 1996 Oak Ridge High School boys' cross country team. by \*McNally, \*Williams, \*Davis.

**Senate Joint Resolution No. 18** -- Memorials, Sports - Oak Ridge High School girls' cross country team, TSSAA Class AAA state champions. by \*McNally, \*Williams, \*Davis.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 22** -- Constitutional Amendments - Completes constitutional amendment process by proposing to 100th General Assembly same amendment to Article I, Section 32, requiring safe prisons rather than safe and comfortable prisons that was passed during 99th General Assembly. by \*Buck, \*McMillan, \*Goins, \*Pinion, \*Bittle, \*Newton, \*Boyer, \*McDaniel, \*Stamps, \*Maddox, \*Fitzhugh, \*White, \*Sands, \*Hargett, \*Haley, \*Pleasant, \*Bone, \*West, \*Naifeh, \*Sharp, \*McDonald.

**\*House Joint Resolution No. 23** -- Highway Signs - "Othel Smith Boulevard," S.R. 146, Smithville. by \*Buck.

**House Joint Resolution No. 24** -- Naming and Designating - Smithville Fiddlers' Jamboree and Crafts Festival, official jamboree and crafts festival of Tennessee. by \*Buck.

**\*House Joint Resolution No. 25** -- General Assembly, Studies - Creates special joint committee composed of nine members to study issues relating to narcotics and enforcement of the drug laws. by \*Buck.

**\*House Joint Resolution No. 29** -- Memorials, Government Officials - Urges University of Tennessee to study feasibility of developing and implementing external degree program to afford non-traditional students equal access to college education. by \*Dunn, \*Langster, \*Cooper B.

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**\*House Joint Resolution No. 30** -- General Assembly, Studies - Creates special joint committee to study feasibility of merging University of Tennessee agricultural extension service and Tennessee State University agricultural extension service. by \*Dunn.

### **RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for February 6, 1997:

**House Resolution No. 8** -- Memorials, Personal Occasion - Charlie Columbus Clabo, 100th birthday. by \*Huskey, \*Jackson, \*McMillan.

**House Resolution No. 9** -- Memorials, Personal Achievement - Travis Tweed, Eagle Scout. by \*Ferguson.

**House Resolution No. 10** -- Memorials, Death - Charles Edward Highsmith and Diane Traugher Highsmith. by \*Davidson.

**House Joint Resolution No. 31** -- Memorials, Retirement - Jayne Plemons. by \*Sharp, \*McAfee, \*Wood.

**House Joint Resolution No. 33** -- Memorials, Death - Dr. Edgar Lattimore Compere. by \*Burchett.

### **INTRODUCTION OF BILLS**

On motion, the following bills were introduced and passed first consideration:

**\*House Bill No. 270** -- Loan Companies - Excludes from definition of "investment certificate" promissory note issued by company to officer or director Amends TCA Section 45-5-102(10). by \*Rhinehart.

**\*House Bill No. 271** -- Education, Higher - Provides for admission preference for Tennessee applicants to state graduate schools and programs. by \*Odom.

**\*House Bill No. 272** -- Taxes, Excise - Increases from 90 to 120 days time period after cessation of hostilities in which companies owned by military personnel may file excise taxes Amends TCA Title 67, Chapter 4, Part 8. by \*Odom.

**\*House Bill No. 273** -- Guardianship - Clarifies method and standards to be employed by courts in assessing payment of expenses by fiduciaries in guardianship matters. Amends TCA Section 34-11-113. by \*Buck.

**House Bill No. 274** -- Highway Signs - "Carl W. Woodard Memorial Bridge," S.R. 85, Smith County. by \*Buck.

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**\*House Bill No. 275** -- Utilities, Utility Districts - Permits natural gas utility district to sell facilities to private investor owned utility. Amends TCA Section 7-82-304 and Section 7-82-202. by \*Williams (Williamson), \*Robinson, \*Davidson, \*Armstrong, \*Turner (Hamilton), \*Wood, \*McAfee, \*Ford S, \*Haley.

**\*House Bill No. 276** -- Hospitals and Health Care Facilities - Requires board for licensing health care facilities to assess in writing fiscal impact of changes in nursing home standards. Comptroller shall deem such costs to be reasonable for rate setting purposes. Amends TCA Section 68-11-209. by \*Rhinehart.

**House Bill No. 277** -- Taxes, Sales - Extends sales tax exemption to 501(c)(13) not-for-profit cemetery companies. Amends TCA Section 67-6-322. by \*Hood.

**\*House Bill No. 278** -- Workers' Compensation - Changes status of local government member of advisory council on workers' compensation from non-voting to voting. Amends TCA Section 50-6-121. by \*West.

**\*House Bill No. 279** -- Contractors - Authorizes state board for licensing contractors to issue licenses upon notice of compliance with Workers' Compensation Law; abolishes parallel local government zoning board requirements. Amends TCA Section 62-6-103. Repeals TCA Sections 13-7-117 and 13-7-211. by \*West.

**\*House Bill No. 280** -- Taxes, Sales - Increases apportionment percentage from .75 to 1.0 percent over three years of municipal state sales tax revenue share for University of Tennessee Municipal Technical Advisory Service. Amends TCA Section 67-6-103(a)(3)(E). by \*West.

**\*House Bill No. 281** -- Hazardous Materials - Prohibits location of hazardous waste facility within 1,500 feet of residential, daycare, park, church or school property. Amends TCA Title 68, Chapter 212. by \*DeBerry L, \*Bowers.

**\*House Bill No. 282** -- Solid Waste Disposal - Prohibits location of solid waste processing facilities or disposal facilities within 1,500 feet of any residential, daycare, church, park or school property. Amends TCA Title 68, Chapter 211. by \*DeBerry L, \*Bowers.

**\*House Bill No. 283** -- DUI/DWI Offenses - Requires person convicted of DUI to go to DUI school within six months of completing incarceration; requires person to go to DUI school each time convicted of DUI; requires DUI school to be of at least 12 hours' duration. Amends TCA Title 55, Chapter 10, Part 4. by \*Walley.

**\*House Bill No. 284** -- Licenses - Authorizes board for professional counselors, and marital and family therapists to issue temporary licenses to certain applicants for marital and family therapy licensure; establishes certain requirements and restrictions for such temporary licensees. Amends TCA Title 63, Chapter 22. by \*Walley.

**\*House Bill No. 285** -- Massage - Extends filing date from April 1, 1996 to May 7, 1996 for applicants to qualify for massage therapist licensure. Amends TCA Section 63-18-205. by \*Walley.

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**\*House Bill No. 286** -- Highways, Roads and Bridges - Removes Sevier County from exemption regarding advertising on highways. Amends TCA Section 54-17-109. by \*Huskey.

**House Bill No. 287** -- Dayton - Revises charter relative to elections of council members and composition of city school board. Amends Chapter 46 of the Private Acts of 1953. by \*Walker.

**\*House Bill No. 288** -- Redistricting, Legislative & Congressional - Moves precinct ZZZZ from district 9 to district 8 Amends TCA Title 2, Chapter 16. by \*Newton.

**\*House Bill No. 289** -- Insurance, Health, Accident - Mandates insurance coverage for diabetes equipment and supplies. by \*Newton.

**\*House Bill No. 290** -- Drugs - Authorizes physicians to prescribe, order, administer, sell, or otherwise distribute phentermine and fenfluramine despite any board of medical examiners' rule to the contrary. Amends TCA Title 39, Chapter 17, Part 4 and Title 63, Chapter 6, Part 2. by \*Givens.

**\*House Bill No. 291** -- TennCare - Requires MCOs to enter into linkage agreements and coordinate care for beneficiaries with school based health clinics and other community health care providers. Amends TCA Title 71, Chapter 5, Part 1. by \*Givens.

**\*House Bill No. 292** -- Employees, Employers - Authorizes division of consumer affairs to bring action for violations of Tennessee Employment Agency Act in circuit court, in addition to chancery court Amends TCA Title 47, Chapter 18 and Title 56. by \*Givens.

**\*House Bill No. 293** -- Forest and Forest Products - Requires division of forestry to revise comprehensive state forest system plan every five years instead of periodically. Amends TCA Title 11 and Title 39. by \*Givens.

**\*House Bill No. 294** -- Agriculture - Extends from ten to 12 number of days permitted commissioner of agriculture to appoint county weed control board. Amends TCA Title 43. by \*Givens.

**\*House Bill No. 295** -- Agriculture - Redefines "farm products" to include aquaculture products in right to farm statute. Amends TCA Title 43. by \*Givens.

**\*House Bill No. 296** -- Motor Vehicles, Titling and Registration - Defines "machinery truck" as truck used for hauling machinery by owner/operator within 125 mile, instead of 100 mile, radius of base location for purposes of qualifying for 10 percent gross weight variance for certain freight motor vehicles Amends TCA Title 55, Chapter 7. by \*Givens.

**House Bill No. 297** -- Garnishments and Executions - Allows clerks of court and other appropriate court officials to apply to commissioner of employment security for information on employer and work location of garnishees and transmit such information to garnishers. Amends TCA Title 50, Chapter 7, Part 7. by \*Curtiss.

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**\*House Bill No. 298** -- Driver Licenses - Increases from six to nine months period person whose driver license has been revoked for the first time must wait before applying for new license Amends TCA Title 40, Chapter 33 and Title 55, Chapter 50. by \*Curtiss.

**House Bill No. 299** -- Charitable Solicitations - Exempts civic clubs and fraternal organizations operating under lodge system from requirements concerning solicitation of charitable funds. Amends TCA Section 48-101-502. by \*Davis.

**House Bill No. 300** -- Emergency Communications Districts - Exempts Crockett County from training and qualifications standards for 911 board dispatchers. by \*Cole (Dyer).

**House Bill No. 301** -- Teachers - Allows use of excess instructional time in whole day segments for faculty professional development, M-team, S-team, parent conferences, and other similar meetings. Amends TCA Section 49-6-3004. by \*Tindell, \*Davidson, \*Armstrong, \*Dunn, \*Boyer, \*Burchett.

**\*House Bill No. 302** -- Fire Prevention and Investigation - Requires approval of state fire marshal 30 days before operating certain facilities that provide services to children. Amends TCA Title 68, Chapter 102 and Title 68, Chapter 120. by \*Tindell.

**\*House Bill No. 303** -- Housing - Authorizes regional and municipal planning commissions to establish registry of group homes; applies to four largest counties. by \*Tindell.

**\*House Bill No. 304** -- Historical Commission - Changes from five to six years term successor members of commission shall serve. Amends TCA Title 4, Chapter 11. by \*Tindell, \*Armstrong.

**\*House Bill No. 305** -- Criminal Offenses - Elevates assault knowingly committed against law enforcement officer performing official duty to Class D felony of aggravated assault; removes sentencing enhancement factor that victim was law enforcement officer. Amends TCA Title 39, Chapter 13, Part 1. by \*Tindell.

**\*House Bill No. 306** -- Election Laws - Authorizes county election commission to determine locations and set hours of operation for early voting locations and establish ballots for use in specific geographic areas rather than entire county. Amends TCA Title 2, Chapter 6. by \*Tindell, \*Armstrong.

**\*House Bill No. 307** -- Pensions and Retirement Benefits - Authorizes state employee going to work for East Tennessee Enterprise Partnership, Inc. to remain member of TCRS Amends TCA Title 8, Chapter 35. by \*Winningham.

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**House Bill No. 308** -- Education - Provides that persons with felony conviction cannot become school superintendents. Amends TCA Section 49-2-301. by \*Winningham.

**House Bill No. 309** -- Education - Increases from one to two number of persons teacher can change on career ladder evaluation team; deletes requirement that supervisors plan and participate in staff development activities. Amends TCA Title 49, Chapter 5, Parts 50 through 55. by \*Winningham.

**House Bill No. 310** -- Education - Increases from 15 to 30 days when notice to be given by school superintendent to persons whose year-to-year contract is not being renewed. Amends TCA Section 49-2-301. by \*Winningham.

**\*House Bill No. 311** -- Pensions and Retirement Benefits - Revises base benefit definition on retirement benefit adjustments to include such adjustments in base. Amends TCA Title 8, Chapter 36, Part 7. by \*Winningham.

**\*House Bill No. 312** -- Local Education Agency - Removes requirement of high school diploma or GED for currently serving county school board members. Amends TCA Section 49-2-202. by \*Winningham.

**\*House Bill No. 313** -- Redistricting, Legislative & Congressional - Requires house redistricting plans to comply with federal statutes and U.S. Supreme Court rulings. Amends TCA Title 2 and Section 3-1-103. by \*Ridgeway, \*Hargrove, \*Rinks.

**\*House Bill No. 314** -- Redistricting, Legislative & Congressional - Requires senate redistricting plans to comply with federal statutes. Amends TCA Title 2 and Title 3, Chapter 1. by \*Ridgeway, \*Hargrove, \*Rinks.

**\*House Bill No. 315** -- Redistricting, Legislative & Congressional - Requires congressional redistricting to be accomplished within one year of census enumeration. Amends TCA Title 2, Chapter 16. by \*Ridgeway, \*Hargrove, \*Rinks.

**House Bill No. 316** -- Alcoholic Beverages - Permits retailer to cash checks on store premises for a fee to person over age of 21.. Amends TCA Section 57-3-404(e). by \*Rhinehart, \*Chumney, \*Jones U (Shelby), \*Kent.

**\*House Bill No. 317** -- Taxes, Privilege - Exempts medical professionals from occupational privilege tax if at least 24 hours of volunteer service provided on site at not-for-profit clinic in counties having population in excess of 77,000; limited to first 400 who document services. Amends TCA Section 67-4-1702. by \*Dunn.

**\*House Bill No. 318** -- Local Education Agency - Allows county commissions by simple majority vote to continue popular election of school superintendents after September 1, 1996. Amends TCA Section 49-2-301. by \*Winningham.



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**\*House Bill No. 319** -- Local Education Agency - Allows Clay, Jackson, Macon, Pickett, and Scott counties to continue to elect county school superintendents after September 1, 1996, subject to 2/3 vote of county commission. Amends TCA Section 49-2-301. by \*Winningham.

**\*House Bill No. 320** -- County Officers - Removes requirement that constable not have been separated or discharged from armed forces with other than honorable discharge if person has served as constable for ten or more years in Scott County. Amends TCA Section 8-10-102. by \*Winningham.

**\*House Bill No. 321** -- Education - Makes hourly waged noninstructional or nonadministrative employees of educational institution eligible for unemployment benefits during customary vacation periods of no more than three nor less than two months' duration. Amends TCA Title 49, Chapter 5, Part 3 and Title 50, Chapter 7, Part 3. by \*Winningham.

**\*House Bill No. 322** -- County Officers - Removes requirement that constable not have been separated or discharged from armed forces with other than honorable discharge for those who were constables on or before March 29, 1996. Amends TCA Section 8-10-102. by \*Winningham.

**\*House Bill No. 323** -- Highways, Roads and Bridges - Exempts Scott County from Uniform Highway Law relating to qualifications of county highway superintendent. Amends TCA Section 54-7-104. by \*Winningham.

**\*House Bill No. 324** -- Education - Abolishes education value-added assessment program. Amends TCA Title 49, Chapter 1. by \*Winningham.

**House Bill No. 325** -- Jackson County - Subject to local approval, transfers probate jurisdiction to chancery court with clerk and master being clerk for all matters of probate. Amends Chapter 217 of the Private Acts of 1976. by \*Winningham.

**\*House Bill No. 326** -- Unemployment Compensation - Exempts employers participating in school-to-work or similar programs from unemployment compensation law with respect to students so employed. Amends TCA Title 50, Chapter 7. by \*Winningham.

**\*House Bill No. 327** -- Education - Deletes provision stating that any elected or appointed superintendent of schools only required to have baccalaureate degree. Amends TCA Section 49-2-301. by \*Winningham.

**\*House Bill No. 328** -- Workers' Compensation - Exempts employers participating in school-to-work or similar programs from requirement to provide workers' compensation insurance for such students. Amends TCA Title 50, Chapter 6. by \*Winningham.

**\*House Bill No. 329** -- Courts, General Sessions - Removes requirement that judge in Scott County be lawyer. Amends TCA Title 16. by \*Winningham.

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**\*House Bill No. 330** -- Sentencing - Prohibits court from ordering work release as part of sentence of defendant sentenced to local jail or workhouse unless sheriff or other administrative authority has formulated work release program; allows court to modify sentence and order work release if sheriff formulates such program subsequent to sentencing Amends TCA Title 40, Chapter 35. by \*Eckles.

**House Bill No. 331** -- Alcoholic Offenses - Prohibits consumption or possession of alcoholic beverages by both driver of and passenger in motor vehicle in operation Amends TCA Section 55-10-416. by \*Ford S, \*Haley, \*Newton, \*Pleasant, \*McAfee, \*Curtiss, \*McDonald, \*Sharp, \*Stulce.

**House Bill No. 332** -- Public Contracts - Permits local governments to contact with any department of state government for supplies and equipment. Amends TCA Section 12-3-1001. by \*McKee.

**\*House Bill No. 333** -- Municipal Government - Sets first election for city commissioners after adoption of initial charter; permits one time extension of terms. Amends TCA Title 6. by \*Kent.

**\*House Bill No. 334** -- Education, Higher - Adds duty that THEC study system of naming state universities and colleges and make recommendations for changes to general assembly Amends TCA Title 49. by \*Ridgeway.

**\*House Bill No. 335** -- Parks, Natural Areas Preservation - Requires department of environment and conservation to maintain list of all recreational property owned or managed by state and potential desirable buffer zone properties which would protect such assets Amends TCA Title 11 and Title 67. by \*Ridgeway.

**\*House Bill No. 336** -- Juvenile Offenders - Requires restitution of ten times amount of damage if juvenile found to be delinquent based upon conduct constituting criminal offense of vandalism, parents jointly and severally liable for payment of restitution in such amount. Amends TCA Section 37-1-131. by \*Ridgeway.

**House Bill No. 337** -- Taxes, Real Property - Deletes requirement that veteran's service disability be combat related to qualify for property tax relief Amends TCA Section 67-5-704(b)(3). by \*Rhinehart.

**\*House Bill No. 338** -- TennCare - Prohibits mail orders for prescription drugs in TennCare program. Amends TCA Title 56; Title 63 and Title 71. by \*Rhinehart.

**\*House Bill No. 339** -- Purchasing - Authorizes local governments to purchase items locally without competitive bids if item available locally at same or lower cost than state contract Amends TCA Title 12, Chapter 3, Part 10. by \*Rhinehart.

**House Bill No. 340** -- Taxes, Real Property - Permits county trustee in each county to accept partial payment of property taxes Amends TCA Section 67-5-1801(e). by \*Head.

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**House Bill No. 341** -- Municipal Government - Requires notice of public hearing to list all tracts affected by tax map and parcel number or brief explanation if this identification is not practicable; such information also to be included in publication of ordinances for annexation. Amends TCA Section 6-51-101. by \*Boyer, \*Dunn.

**\*House Bill No. 342** -- Health - Authorizes Davidson County to set exterior design standards for ambulances owned or operated by Davidson County. Amends TCA Section 68-140-507. by \*West, \*Jones, S., \*Langster, \*Pruitt, \*Odom, \*Boner, \*Arriola, \*Halteman Harwell, \*Garrett, \*Robinson.

**House Bill No. 343** -- Insurance Companies, Agents, Brokers - Removes prohibition from doing insurance business for companies or entities financially owned or controlled by alien or foreign governments if certain conditions or requirements met. Amends TCA Title 56, Chapter 2, Part 4. by \*Garrett.

**\*House Bill No. 344** -- Surplus Property - Authorizes surplus computer equipment suitable for educational purposes be transferred to local education agencies, without financial consideration. Amends TCA Section 12-2-403. by \*Pruitt.

**\*House Bill No. 345** -- Historical Sites - Requires commission to place 18 markers throughout state, not less than six in each grand division, relating to African-American culture and history; marker to describe cultural or historical event significant to area where marker placed. by \*Pruitt.

**House Bill No. 346** -- Tobacco, Tobacco Products - Provides that nothing in franchise and excise tax laws shall be construed to prohibit tobacco companies from doing business in Tennessee. Amends TCA Title 67, Chapter 4, Parts 8 and 9. by \*Rhinehart.

**House Bill No. 347** -- Tobacco, Tobacco Products - Adds short title designating new portion of privilege tax as "Tobacco Manufacturing Reserve Tax." Amends TCA Title 67. by \*Rhinehart.

**House Bill No. 348** -- Drugs - Makes catha edulis (Khat) Schedule I controlled substance when cathinone is present and Schedule IV when cathinone is absent but cathine is present; moves flunitrazepam from Schedule IV to Schedule I controlled substance. Amends TCA Title 39, Chapter 17, Part 4. by \*Rhinehart.

**\*House Bill No. 349** -- Forest and Forest Products - Increases from five to six years the forest management experience required for state foresters. Amends TCA Title 11, Chapter 4. by \*Givens.

**House Bill No. 350** -- Public Records - Permits Madison County to sell public records with commercial value. by \*Kisber, \*McDaniel.

**\*House Bill No. 351** -- Judgments - Extends life of judgment liens from three to ten years. Amends TCA Section 25-5-105. by \*Arriola.

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**\*House Bill No. 352** -- Hospitals and Health Care Facilities - Redefines "home for the aged" to increase from one to two number of fire safety experts employed by board for licensing health care facilities relative to homes for the aged. Amends TCA Title 68 and Title 71. by \*Arriola.

**\*House Bill No. 353** -- Hospitals and Health Care Facilities - Prohibits health facilities commission and board for licensing health care facilities from approving methadone treatment programs or medication units which are, or would be, located within 100 miles of another such program or unit within Tennessee. Amends TCA Title 68, Chapter 11. by \*Arriola.

**House Bill No. 354** -- Opticians - Revises qualifications for licensure as dispensing optician. Amends TCA Title 63, Chapter 14. by \*Arriola.

**House Bill No. 355** -- Bristol - Subject to local approval, authorizes city manager to appoint deputy who may also serve as finance director or treasurer. Amends Chapter 84 of the Private Acts of 1991. by \*Godsey, \*Mumpower, \*Westmoreland.

**\*House Bill No. 356** -- Aged Persons - Changes threshold for number of meals served at meal sites in remote locations where elderly cannot attend congregate site on consistent basis to average of 20 congregate and home delivered meals day instead of average of 20 congregate meals a day. Amends TCA Title 71, Chapter 2. by \*White, \*Tidwell.

**\*House Bill No. 357** -- Insurance, Health, Accident - Requires written confirmation of verbal authorization for health care services by quickest means possible, including facsimile transmissions where health care provider, insured or enrollee has access to fax machine. Amends TCA Title 56. by \*White.

**House Bill No. 358** -- Motor Vehicles, Titling and Registration - Deletes \$25.00 fee for special license plates for honorably discharged veterans; requires payment of fee equal to cost of producing such plates. Amends TCA Title 55, Chapter 4, Part 2. by \*White.

**House Bill No. 359** -- Election Laws - Requires person receiving nominating petition to sign dated receipt stating that person understands portions that must be completed. Amends TCA Section 2-5-102. by \*White, \*Fitzhugh.

**House Bill No. 360** -- Highways, Roads and Bridges - Increases from 30 to 45 days length of time department of transportation shall store personal property which encroaches on right of way. Amends TCA Title 54 and Title 67. by \*White.

**House Bill No. 361** -- Marriage - Permits county legislative body by 2/3 vote to establish three day waiting period for issuance of marriage license. Amends TCA Title 36, Chapter 3. by \*White.

**House Bill No. 362** -- Highway Signs - "J.R. Cole Memorial Bridge," U.S. 64/S.R. 15, Wayne County. by \*White.

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**House Bill No. 363** -- Law Enforcement - Requires accident report forms used by investigating officers to include insurance carrier of parties and name, address, and telephone number of officer. Amends TCA Title 55, Chapter 10. by \*White, \*Fitzhugh.

**\*House Bill No. 364** -- Juries and Jurors - Increases from five to seven maximum number of alternate jurors on investigative grand jury. Amends TCA Title 22 and Title 40. by \*Buck.

**\*House Bill No. 365** -- Criminal Offenses - Increases from Class C to Class B misdemeanor penalty of substitution of drugs in filling prescriptions. Amends TCA Title 39, 40, 53. by \*Buck.

**\*House Bill No. 366** -- Privacy, Confidentiality - Gives attorney representing client about whom child abuse, neglect or child sexual abuse report has been filed with department of human services access to records concerning report of such abuse or neglect. Amends TCA Title 37. by \*Buck.

**\*House Bill No. 367** -- Firearms and Ammunition - Permits person committing misdemeanor offense involving domestic violence prior to September 30, 1996, to petition court for expungement of offense; authorizes court to grant expungement petition after consideration of specified factors. Amends TCA Title 40, Chapter 32; Title 40, Chapter 35 and Title 40, Chapter 14. by \*Buck.

**House Bill No. 368** -- Cannon County - Subject to local approval, authorizes \$5.00 litigation tax. by \*Buck.

**\*House Bill No. 369** -- Courts, General Sessions - Requires defendant to notify clerk within 48 hours of hearing if feels there is another defendant; clerk shall notify plaintiff and automatically continue hearing for 30 days so plaintiff can add new defendant to warrant. Amends TCA Title 16, Chapter 15. by \*Buck.

**\*House Bill No. 370** -- Criminal Offenses - Increases from Class C to Class B misdemeanor penalty of taking fish of another. Amends TCA Title 39 and Title 40. by \*Buck.

**\*House Bill No. 371** -- Anatomical Gifts - Makes certain changes to anatomical gifts provisions; updates uniform laws in this area. Amends TCA Title 68, Chapter 30. by \*Williams (Williamson).

**\*House Bill No. 372** -- Food and Food Products - Places certain requirements on establishments which provide delivery services for food product. Amends TCA Title 53, Chapter 8. by \*Kent.

**\*House Bill No. 373** -- Education, Higher - Merges University of Tennessee system into state board of regents system; abolishes UT board of trustees. Amends TCA Title 49, Chapters 7, 8 and 9. by \*Cooper, \*Bowers, \*Miller L, \*Jones U (Shelby), \*Brooks, \*Brown, \*Pruitt.

**\*House Bill No. 374** -- Juvenile Offenders - Requires department of children's services to assess educational and employment training needs of juvenile offenders placed in youth development centers and to develop appropriate educational and training plans subject to available funding. Amends TCA Title 37. by \*Cooper, \*Pleasant, \*Bowers, \*Brooks, \*Brown, \*Pruitt.

**\*House Bill No. 375** -- Boards and Commissions - Requires governor to appoint, as necessary, members to emergency medical services board from nominees submitted by Tennessee Municipal League and Tennessee County Services Association. Amends TCA Section 68-140-503. by \*Jones U (Shelby).

**House Bill No. 376** -- Highway Signs - "Charles Deadrick 'Pete' Johnson Memorial Bridge," SR 61-62, Oliver Springs. by \*Ferguson, \*Caldwell, \*Windle.

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**\*House Bill No. 46** -- Salaries and Benefits -- House Education Committee

**House Bill No. 47** -- Probate Law -- House Judiciary Committee

**House Bill No. 48** -- Emergency Communications Districts -- House State & Local Government Committee

**\*House Bill No. 49** -- Garnishments and Executions -- House Judiciary Committee

**\*House Bill No. 50** -- Fees -- House Judiciary Committee

**\*House Bill No. 51** -- Highway Signs -- Previously Referred

**House Bill No. 52** -- Driver Licenses -- House Transportation Committee

**House Bill No. 53** -- Local Education Agency -- House Education Committee

**\*House Bill No. 54** -- Local Education Agency -- House Education Committee

**\*House Bill No. 55** -- DUI/DWI Offenses -- House Judiciary Committee

**House Bill No. 56** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**\*House Bill No. 57** -- Highways, Roads and Bridges -- House Government Operations Committee

**\*House Bill No. 58** -- Fire Prevention and Investigation -- House State & Local Government Committee

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

- \*House Bill No. 59** -- Criminal Procedure -- Caption Bill Held on House Desk
- \*House Bill No. 60** -- Divorce and Annulment -- Caption Bill Held on House Desk
- \*House Bill No. 61** -- Adoption -- Caption Bill Held on House Desk
- \*House Bill No. 62** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk
- \*House Bill No. 63** -- Welfare -- Caption Bill Held on House Desk
- \*House Bill No. 64** -- Mental Health and Mental Retardation, Dept. of -- Caption Bill Held on House Desk
- \*House Bill No. 65** -- Judgments -- Caption Bill Held on House Desk
- \*House Bill No. 66** -- Zoning -- Caption Bill Held on House Desk
- \*House Bill No. 67** -- Parks, Natural Areas Preservation -- Caption Bill Held on House Desk
- \*House Bill No. 68** -- Courts -- Caption Bill Held on House Desk
- \*House Bill No. 69** -- Public Records -- Caption Bill Held on House Desk
- \*House Bill No. 70** -- Public Funds and Financing -- Caption Bill Held on House Desk
- \*House Bill No. 71** -- State Employees -- Caption Bill Held on House Desk
- \*House Bill No. 72** -- Sunshine Law -- Caption Bill Held on House Desk
- \*House Bill No. 73** -- State Employees -- Caption Bill Held on House Desk
- \*House Bill No. 74** -- Civil Service -- Caption Bill Held on House Desk
- \*House Bill No. 75** -- TennCare -- Caption Bill Held on House Desk
- \*House Bill No. 76** -- Local Government, General -- Caption Bill Held on House Desk
- \*House Bill No. 77** -- Election Laws -- Caption Bill Held on House Desk
- \*House Bill No. 78** -- Redistricting, Legislative & Congressional -- Caption Bill Held on House Desk
- \*House Bill No. 79** -- Redistricting, Legislative & Congressional -- Caption Bill Held on House Desk

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

- \*House Bill No. 80** -- Lobbying, Lobbyists -- Caption Bill Held on House Desk
- \*House Bill No. 81** -- Ethics -- Caption Bill Held on House Desk
- \*House Bill No. 82** -- General Assembly -- Caption Bill Held on House Desk
- \*House Bill No. 83** -- Redistricting, Legislative & Congressional -- Caption Bill Held on House Desk
- \*House Bill No. 84** -- Tennessee Regulatory Authority -- Caption Bill Held on House Desk
- \*House Bill No. 85** -- Financial Disclosure -- Caption Bill Held on House Desk
- \*House Bill No. 86** -- General Assembly -- Caption Bill Held on House Desk
- \*House Bill No. 87** -- Consumer Protection -- Caption Bill Held on House Desk
- \*House Bill No. 88** -- Administrative Procedure -- Caption Bill Held on House Desk
- \*House Bill No. 89** -- State Government -- Caption Bill Held on House Desk
- \*House Bill No. 90** -- Penal and Reformatory Institutions -- Caption Bill Held on House Desk
- \*House Bill No. 91** -- Employees, Employers -- Caption Bill Held on House Desk
- \*House Bill No. 92** -- County Government -- Caption Bill Held on House Desk
- \*House Bill No. 93** -- Health -- Caption Bill Held on House Desk
- \*House Bill No. 94** -- Local Government, General -- Caption Bill Held on House Desk
- \*House Bill No. 95** -- Annexation -- Caption Bill Held on House Desk
- \*House Bill No. 96** -- Taxes, Sales -- Caption Bill Held on House Desk
- \*House Bill No. 97** -- Taxes, Excise -- Caption Bill Held on House Desk
- \*House Bill No. 98** -- Bond Issues -- Caption Bill Held on House Desk
- \*House Bill No. 99** -- Appropriations -- Caption Bill Held on House Desk
- \*House Bill No. 100** -- Safety -- Caption Bill Held on House Desk
- \*House Bill No. 101** -- Tennessee Regulatory Authority -- Caption Bill Held on House Desk



**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

- \*House Bill No. 102** -- Regional Authorities -- Caption Bill Held on House Desk
- \*House Bill No. 103** -- Civil Defense -- Caption Bill Held on House Desk
- \*House Bill No. 104** -- Food and Food Products -- Caption Bill Held on House Desk
- \*House Bill No. 105** -- Employees, Employers -- Caption Bill Held on House Desk
- \*House Bill No. 106** -- Aircraft and Airports -- Caption Bill Held on House Desk
- \*House Bill No. 107** -- Juvenile Offenders -- Caption Bill Held on House Desk
- \*House Bill No. 108** -- Fiduciaries -- Caption Bill Held on House Desk
- \*House Bill No. 109** -- Guardianship -- Caption Bill Held on House Desk
- \*House Bill No. 110** -- Mental Illness -- Caption Bill Held on House Desk
- \*House Bill No. 111** -- Evidence -- Caption Bill Held on House Desk
- \*House Bill No. 112** -- Juries and Jurors -- Caption Bill Held on House Desk
- \*House Bill No. 113** -- Courts, Chancery -- Caption Bill Held on House Desk
- \*House Bill No. 114** -- Attorneys at Law -- Caption Bill Held on House Desk
- \*House Bill No. 115** -- Judicial Officers -- Caption Bill Held on House Desk
- \*House Bill No. 116** -- Judges and Chancellors -- Caption Bill Held on House Desk
- \*House Bill No. 117** -- Holidays -- Caption Bill Held on House Desk
- \*House Bill No. 118** -- Public Property -- Caption Bill Held on House Desk
- \*House Bill No. 119** -- Public Officials -- Caption Bill Held on House Desk
- \*House Bill No. 120** -- Civil Procedure -- Caption Bill Held on House Desk
- \*House Bill No. 121** -- Municipal Government -- Caption Bill Held on House Desk
- \*House Bill No. 122** -- Local Government, General -- Caption Bill Held on House Desk
- \*House Bill No. 123** -- Statutes -- Caption Bill Held on House Desk
- \*House Bill No. 124** -- Welfare -- Caption Bill Held on House Desk

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**\*House Bill No. 125** -- Wildlife Resources Commission -- Caption Bill Held on House Desk

**\*House Bill No. 126** -- Water -- Caption Bill Held on House Desk

**\*House Bill No. 127** -- Environmental Preservation -- Caption Bill Held on House Desk

**\*House Bill No. 128** -- Water -- Caption Bill Held on House Desk

**\*House Bill No. 129** -- Solid Waste Disposal -- Caption Bill Held on House Desk

**\*House Bill No. 130** -- Taxes -- Caption Bill Held on House Desk

**\*House Bill No. 131** -- Taxes, Franchise -- Caption Bill Held on House Desk

**\*House Bill No. 132** -- Taxes, Income -- Caption Bills Held on House Desk

**\*House Bill No. 133** -- Personal Property -- Caption Bill Held on House Desk

**\*House Bill No. 134** -- Telecommunications -- Caption Bill Held on House Desk

**\*House Bill No. 135** -- Health -- Caption Bill Held on House Desk

**\*House Bill No. 136** -- Professions and Occupations -- Caption Bill Held on House Desk

**\*House Bill No. 137** -- Business Organizations -- Caption Bill Held on House Desk

**\*House Bill No. 138** -- Gas, Petroleum Products, Volatile Oils -- Caption Bill Held on House Desk

**\*House Bill No. 139** -- Mining and Quarrying -- Caption Bill Held on House Desk

**\*House Bill No. 140** -- Alcoholic Beverages -- Caption Bill Held on House Desk

**\*House Bill No. 141** -- Insurance Companies, Agents, Brokers -- Caption Bill Held on House Desk

**\*House Bill No. 142** -- DUI/DWI Offenses -- Caption Bill Held on House Desk

**\*House Bill No. 143** -- Motor Vehicles -- Caption Bill Held on House Desk

**\*House Bill No. 144** -- Highways, Roads and Bridges -- Caption Bill Held on House Desk

**\*House Bill No. 145** -- Workers' Compensation -- Caption Bill Held on House Desk

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**\*House Bill No. 146** -- Unemployment Compensation -- Caption Bill Held on House Desk

**\*House Bill No. 147** -- Education -- Caption Bill Held on House Desk

**\*House Bill No. 148** -- Corporations -- Caption Bill Held on House Desk

**\*House Bill No. 149** -- Uniform Commercial Code -- Caption Bill Held on House Desk

**\*House Bill No. 150** -- Cemeteries -- Caption Bill Held on House Desk

**\*House Bill No. 151** -- Banks and Financial Institutions -- Caption Bill Held on House Desk

**\*House Bill No. 152** -- Estates -- Caption Bill Held on House Desk

**\*House Bill No. 153** -- Estates -- Caption Bill Held on House Desk

**\*House Bill No. 154** -- Estates -- Caption Bill Held on House Desk

**\*House Bill No. 155** -- Motor Vehicles, Titling and Registration -- Caption Bill Held on House Desk

**\*House Bill No. 156** -- Limitation of Actions -- Caption Bill Held on House Desk

**\*House Bill No. 157** -- Civil Procedure -- Caption Bill Held on House Desk

**\*House Bill No. 158** -- Judgments -- Caption Bill Held on House Desk

**\*House Bill No. 159** -- Livestock -- Caption Bill Held on House Desk

**\*House Bill No. 160** -- Agriculture -- Caption Bill Held on House Desk

**\*House Bill No. 161** -- Criminal Offenses -- Caption Bill Held on House Desk

**\*House Bill No. 162** -- Criminal Procedure -- Caption Bill Held on House Desk

**\*House Bill No. 163** -- Charitable Solicitations -- House Consumer & Employees Affairs Committee

**\*House Bill No. 164** -- Appeal and Review -- Caption Bill Held on House Desk

**House Bill No. 165** -- Firearms and Ammunition -- House Judiciary Committee

**\*House Bill No. 166** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**\*House Bill No. 167** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

**\*House Bill No. 168** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**\*House Bill No. 169** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**\*House Bill No. 170** -- Salaries and Benefits -- House State & Local Government Committee

**\*House Bill No. 171** -- Highways, Roads and Bridges -- House Transportation Committee

**\*House Bill No. 172** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 173** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 174** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 175** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 176** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 177** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 178** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 179** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 180** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 181** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 182** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 183** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 184** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 185** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 186** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 187** -- Sunset Laws -- House Government Operations Committee

**\*House Bill No. 188** -- Sunset Laws -- House Government Operations Committee

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

- \*House Bill No. 189** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 190** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 191** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 192** -- Administrative Procedure -- House Government Operations Committee
- \*House Bill No. 193** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 194** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 195** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 196** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 197** -- Sunset Laws -- House Government Operations Committee
- \*House Bill No. 198** -- Sunset Laws -- House Government Operations Committee
- House Bill No. 199** -- Sexual Offenses -- House Judiciary Committee
- House Bill No. 200** -- Capitol -- Caption Bill Held on House Desk
- House Bill No. 201** -- Energy -- House State & Local Government Committee
- \*House Bill No. 202** -- Claims Commission, Tennessee -- House State & Local Government Committee
- House Bill No. 203** -- Insurance Companies, Agents, Brokers -- Caption Bill Held on House Desk
- \*House Bill No. 204** -- Education -- House Education Committee
- House Bill No. 205** -- Education -- House Education Committee
- House Bill No. 206** -- Education -- Caption Bill Held on House Desk
- House Bill No. 207** -- Education, Higher -- Caption Bill Held on House Desk
- House Bill No. 208** -- Education -- House Education Committee
- House Bill No. 209** -- Education -- Caption Bill Held on House Desk
- \*House Bill No. 210** -- State Prisoners -- House State & Local Government Committee
- \*House Bill No. 211** -- Local Education Agency -- House Education Committee

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

- \*House Bill No. 212** -- Teachers -- House Education Committee
- \*House Bill No. 213** -- Motor Vehicles, Titling and Registration -- House Transportation Committee
- \*House Bill No. 214** -- Civil Procedure -- House Judiciary Committee
- \*House Bill No. 215** -- Criminal Procedure -- House Judiciary Committee
- \*House Bill No. 216** -- Drugs -- House Health & Human Resources Committee
- \*House Bill No. 217** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee
- \*House Bill No. 218** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee
- \*House Bill No. 219** -- Judges and Chancellors -- House Judiciary Committee
- \*House Bill No. 220** -- Judges and Chancellors -- House Judiciary Committee
- \*House Bill No. 221** -- Banks and Financial Institutions -- House Commerce Committee
- \*House Bill No. 222** -- Physicians and Surgeons -- Caption Bill Held on House Desk
- \*House Bill No. 223** -- Insurance, Health, Accident -- House Commerce Committee
- \*House Bill No. 224** -- Children -- House Judiciary Committee
- \*House Bill No. 225** -- Education -- Caption Bill Held on House Desk
- \*House Bill No. 226** -- Driver Licenses -- House Transportation Committee
- House Bill No. 227** -- Highway Signs -- House Transportation Committee
- House Bill No. 228** -- Polk County -- Local Bill Held on House Desk
- \*House Bill No. 229** -- Professions and Occupations -- Caption Bill Held on House Desk
- \*House Bill No. 230** -- Boards and Commissions -- House State & Local Government Committee
- \*House Bill No. 231** -- Historical Commission -- House Conservation & Environment Committee

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**House Bill No. 232** -- Animals -- House Agriculture Committee

**\*House Bill No. 233** -- Railroads -- Caption Bill Held on House Desk

**\*House Bill No. 234** -- Taxes, Sales -- House Finance, Ways & Means Committee

**\*House Bill No. 235** -- State Employees -- House State & Local Government Committee

**\*House Bill No. 236** -- Taxes, Real Property -- House State & Local Government Committee

**\*House Bill No. 237** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**\*House Bill No. 238** -- Vital Statistics -- House Health & Human Resources Committee

**\*House Bill No. 239** -- Hospitals and Health Care Facilities -- House Health & Human Resources Committee

**\*House Bill No. 240** -- Real Property -- House Commerce Committee

**\*House Bill No. 241** -- Highways, Roads and Bridges -- House Transportation Committee

**\*House Bill No. 242** -- Criminal Offenses -- House Judiciary Committee

**\*House Bill No. 243** -- Loan Companies -- Caption Bill Held on House Desk

**\*House Bill No. 244** -- General Assembly -- House State & Local Government Committee

**\*House Bill No. 245** -- Loan Companies -- House Commerce Committee

**House Bill No. 246** -- Animals -- House Judiciary Committee

**House Bill No. 247** -- Criminal Offenses -- House Judiciary Committee

**House Bill No. 248** -- Sexual Offenses -- House Judiciary Committee

**\*House Bill No. 249** -- Housing -- House State & Local Government Committee

**\*House Bill No. 250** -- Medicine, Practice of -- House Judiciary Committee

**\*House Bill No. 251** -- TennCare -- Caption Bill Held on House Desk

**\*House Bill No. 252** -- Highway Signs -- House Transportation Committee

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**\*House Bill No. 253** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

**House Bill No. 254** -- Veterinarians -- House Agriculture Committee

**House Bill No. 255** -- Fees -- House State & Local Government Committee

**\*House Bill No. 256** -- Highway Signs -- House Transportation Committee

**House Bill No. 257** -- Insurance, Health, Accident -- House Commerce Committee

**\*House Bill No. 258** -- Pensions and Retirement Benefits -- Caption Bill Held on House Desk

**\*House Bill No. 259** -- Railroads -- House Transportation Committee

**\*House Bill No. 260** -- Criminal Procedure -- House Judiciary Committee

**\*House Bill No. 261** -- Emergency Communications Districts -- House State & Local Government Committee

**\*House Bill No. 262** -- DUI/DWI Offenses -- House Judiciary Committee

**House Bill No. 263** -- Judicial Districts -- House Judiciary Committee

**House Bill No. 264** -- Purchasing -- House State & Local Government Committee

**House Bill No. 265** -- Taxes, Sales -- House State & Local Government Committee

**House Bill No. 266** -- Education, Higher -- Caption Bill Held on House Desk

**\*House Bill No. 267** -- Sexual Offenses -- House Judiciary Committee

**\*House Bill No. 268** -- Railroads -- Caption Bill Held on House Desk

**\*House Bill No. 269** -- Regional Authorities -- Caption Bill Held on House Desk

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **February 5, 1997**, reported the following:

**TRANSPORTATION**

The Transportation Committee recommended for passage: House Bill(s) No(s). 51. Under the rules, each was transmitted to the Calendar and Rules Committee.



CONSENT CALENDAR

**House Joint Resolution No. 17** -- Memorials, Personal Achievement - Sam Ballenger, perfect church attendance. by \*West.

**House Joint Resolution No. 19** -- Memorials, Public Service - Charles Orr. by \*Ridgeway.

**House Joint Resolution No. 20** -- Memorials, Retirement - Elizabeth M. O'Connor. by \*Phillips, \*Hargrove.

**House Joint Resolution No. 26** -- Memorials, Personal Achievement - Beverly Holmgren, Leadership Bartlett Award. by \*Hargett.

**House Joint Resolution No. 27** -- Memorials, Professional Achievement - Cathy Pihl, Teacher of the Year. by \*Hargett.

**Senate Joint Resolution No. 3** -- Memorials, Public Service - Linda Sue Gilbert, recipient of "Book of Golden Deeds Award.". by \*Cooper.

**Senate Joint Resolution No. 4** -- Memorials, Public Service - Charles Grady Norton, Exchange Club's "Community Service Award" recipient. by \*Cooper.

**\*Senate Joint Resolution No. 5** -- Memorials, Death - John Howard "J.H." Warf, former commissioner of education and charter member of board of regents. by \*Springer, \*Henry, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper, \*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 6** -- Memorials, Death - Bill Monroe. by \*Henry, \*Graves, \*Haynes, \*Cohen, \*Rochelle.

**Senate Joint Resolution No. 7** -- Memorials, Death - Miss Mildred Stoves. by \*Henry.

**Senate Joint Resolution No. 8** -- Memorials, Recognition and Thanks - Frank M. Farris, Jr., Watkins Institute. by \*Henry, \*Rochelle.

**Senate Joint Resolution No. 9** -- Memorials, Death - H. Sanders Anglea. by \*Henry, \*Haynes, \*Rochelle.

**Senate Joint Resolution No. 10** -- Memorials, Death - Attorney General David M. Pack. by \*Henry, \*Haynes, \*Herron, \*Atchley, \*Cohen, \*Koella, \*Springer, \*Rochelle.

**Senate Joint Resolution No. 11** -- Memorials, Public Service - Charles W. Burson, Attorney General and Reporter. by \*Cohen, \*Atchley, \*Burks, \*Carter, \*Cohen, \*Cooper, \*Crowe, \*Crutchfield, \*Davis, \*Dixon, \*Elsea, \*Ford J, \*Fowler, \*Gilbert, \*Graves, \*Harper,

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\*Haun, \*Haynes, \*Henry, \*Herron, \*Jordan, \*Koella, \*Kurita, \*Kyle, \*Leatherwood, \*McNally, \*Miller J, \*Person, \*Ramsey, \*Rochelle, \*Springer, \*Wilder, \*Williams, \*Womack.

**Senate Joint Resolution No. 15** -- Memorials, Public Service - Dr. Patrick J. Murphy. by \*Person.

**Senate Joint Resolution No. 16** -- Memorials, Public Service - Bob Corker, commissioner of finance and administration. by \*McNally, \*Haynes, \*Henry, \*Womack, \*Atchley, \*Gilbert, \*Harper, \*Cohen, \*Kyle, \*Herron, \*Williams, \*Springer, \*Haun, \*Rochelle.

**Senate Joint Resolution No. 17** -- Memorials, Sports - 1996 Oak Ridge High School boys' cross country team. by \*McNally, \*Williams, \*Davis.

**Senate Joint Resolution No. 18** -- Memorials, Sports - Oak Ridge High School girls' cross country team, TSSAA Class AAA state champions. by \*McNally, \*Williams, \*Davis.

Rep. White moved that all members voting aye on **Senate Joint Resolution No. 5** be added as sponsors, which motion prevailed.

Rep. Kisber moved that all members voting aye on **Senate Joint Resolution No. 11** be added as sponsors, which motion prevailed.

Rep. Hargrove moved that all members voting aye on **Senate Joint Resolution(s) No(s). 10 and 16** be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Miller moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman- Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

#### REGULAR CALENDAR

**\*House Resolution No. 3** -- House of Representatives - Establishes ethics code. by \*Kisber.

Rep. Kisber moved that House Resolution No. 3 be adopted, which motion prevailed by the following vote:

Ayes..... 98  
Noes ..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman- Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

A motion to reconsider was tabled.

#### UNFINISHED BUSINESS

#### ANNOUNCEMENTS

The Clerk announced that the joint committee created by Senate Joint Resolution(s) No(s). 447 and 462 of the ninety-ninth General Assembly to study cellular telephones and the extension of the E-911 charge to the users of cellular has submitted its report and is on file in the Clerk's office.

**SIGNED**  
**February 5, 1997**

The Speaker signed the following: House Joint Resolution(s) No(s). 3.

BETTY KAY FRANCIS, Chief Engraving Clerk.

**ENGROSSED BILLS**  
**February 5, 1997**

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 17, 19, 20, 26 and 27.

BETTY KAY FRANCIS, Chief Engraving Clerk.

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**MESSAGE FROM THE SENATE  
February 5, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 3; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
February 5, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 21 and 34; both for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
February 5, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 5, 6 and 9; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**MESSAGE FROM THE SENATE  
February 5, 1997**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 21 and 28; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK  
February 5, 1997**

The following bill(s) have been transmitted to the Governor for his action: House Joint Resolution(s) No(s). 3.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE  
February 5, 1997**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 23, 24, 25, 26, 27, 28, 29, 30, 31 and 33; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**Senate Joint Resolution No. 23 -- Memorials, Death - Dr. I.B. Beale. by \*Springer.**

**WEDNESDAY, FEBRUARY 5, 1997 -- THIRD LEGISLATIVE DAY**

**Senate Joint Resolution No. 24** -- Memorials, Professional Achievement - Paul Rogers, fortieth year of ministry. by \*Springer.

**Senate Joint Resolution No. 25** -- Memorials, Death - Jim Satterfield, Trousdale County Superintendent of Schools. by \*Rochelle, \*Davis, \*Springer, \*Harper, \*Burks.

**Senate Joint Resolution No. 26** -- Memorials, Personal Occasion - Alton and Elberta Cowan, sixtieth anniversary. by \*Rochelle.

**Senate Joint Resolution No. 27** -- Memorials, Death - Dewitt Rollins. by \*Rochelle, \*Davis.

**Senate Joint Resolution No. 28** -- Memorials, Death - Bob Lowery. by \*Rochelle, \*Burks.

**Senate Joint Resolution No. 29** -- Memorials, Recognition and Thanks - Donald Hosse. by \*Wilder.

**Senate Joint Resolution No. 30** -- Memorials, Death - Kenneth Owen. by \*Springer.

**Senate Joint Resolution No. 31** -- Memorials, Death - Jerry Nelson. by \*McNally.

**Senate Joint Resolution No. 33** -- Memorials, Recognition and Thanks - Sara Lay Cole. by \*Wilder.

**ROLL CALL**

The roll call was taken with the following results:

Present ..... 98

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman- Harwell, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 98.

**RECESS MOTION**

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, February 6, 1997.